



Comptroller General
of the United States

Washington, D.C. 20548

145973

Decision

Matter of: Spokane Metal Products

File: B-247603

Date: February 25, 1992

Greg Tenold for the protester,
Catherine M. Evans, Esq., Office of the General Counsel,
GAO, participated in the preparation of the decision.

DIGEST

1. Protest of cancellation of solicitation after bid opening is dismissed where cancellation was based on overly restrictive specifications, a compelling basis for cancellation.

2. General Accounting Office (GAO) will not entertain protest allegation that specifications should be more restrictive, since GAO's role is to ensure that full and open competition requirements are met, not to protect any interest a protester may have in more restrictive specifications.

DECISION

Spokane Metal Products protests the cancellation of invitation for bids (IFB) No. F10603-91-B-0038, issued by the Department of the Air Force for a 125 gallon fuel bowser. Spokane alleges that the Air Force did not have a compelling basis to cancel the IFB after bid opening as required by Federal Acquisition Regulation (FAR) § 14.404-1(a)(1).

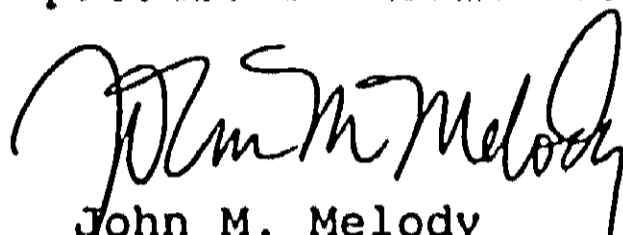
We dismiss the protest.

The specifications for the fuel bowser included a requirement for two 7-inch by 2 1/4-inch mechanical brakes. Since the agency received only one bid--from Spokane--the contracting officer contacted other firms from the bidders mailing list to find out why they had not submitted bids, and learned that at least two firms had been unable to locate the required size brakes. The contracting officer then checked with the requiring activity, which had developed the specifications, to determine whether the requirement for 7-inch by 2 1/4-inch brakes represented the agency's minimum needs. The requiring activity responded that it had simply written the specification around the Spokane unit, including its 7-inch by 2 1/4-inch brakes, and

that it knew of no specific requirement for this brake size. Based on this information, the contracting officer concluded that the agency's minimum needs could be met at a lower price using less restrictive specifications, and canceled the IFB.

An agency may cancel an IFB after bid opening if it has a compelling reason to do so--for example, if the specifications overstate the agency's minimum needs, or if the potential for increased competition exists. See FAR § 14.404-1(a)(1); Aviation Enters., Inc.--Recon., B-215662.4, Dec. 3, 1984, 84-2 CPD ¶ 603; HBD Indus., Inc., B-242010.2, Apr. 23, 1991, 91-1 CPD ¶ 400. The agency found that this was the case here. We will not consider arguments by Spokane that the more restrictive brake size specification is necessary to meet the agency's minimum needs, or that other bidders easily could have obtained the required size brake, since our role in deciding bid protests is to ensure that full and open competition requirements are met, not to protect any interest the protester may have in more restrictive specifications. APEC Tech. Ltd., 65 Comp. Gen. 230 (1986), 86-1 CPD ¶ 81.

The protest is dismissed.



John M. Melody
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